



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2012-2013**

February 18, 2015

Dan Parrish  
Missoula County Public Schools  
915 South Avenue West  
Missoula, MT 59801

Re: Applicant Name:	MISSOULA COUNTY HIGH SCHOOLS
Billed Entity Number:	135105
Form 471 Application Number:	847849
Funding Request Number(s):	2360181
Your Correspondence Dated:	December 23, 2014

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2012 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

<u>Funding Request Number(s):</u>	2360181
Decision on Appeal:	<b>Denied</b>
Explanation:	

- After further review, USAC determined to rescind the commitment approved under the above listed Funding Request Number (FRN) in full. The applicant received duplicate services. The FCC has defined duplicate services as those that deliver the same functionality to the same population in the same location during the same time period. During the course of a Payment Quality Assurance (PQA) review the applicant has confirmed that the District sought a second separate internet service provider to provide redundant service to help insure reliability. FCC rules prohibit the funding of duplicate services. Since you received funding for services that meet the definition of duplicate under FCC's rules, the commitment was rescinded in full and USAC will seek recovery of the amount associated with the duplicate services from the applicant. On your appeal letter you state that "The requirement of using two providers was also to provide

security in the event that one provider had an outage." In addition, the RFP and the service description in the establishing FCC Form 470 application number 461190000866000 state that the District was requesting redundant service. You have not demonstrated on appeal that USAC's determination was incorrect. Consequently, USAC denies your appeal.

- FCC rules provide that funding may be approved only for eligible products and services. *See* 47 C.F.R. secs. 54.502. The USAC website contains a list of eligible products and services. *See* USAC website, [www.usac.org/sl](http://www.usac.org/sl), Eligible Services List. FCC rules further require that if 30% or more of the applicant's funding request includes ineligible products and/or services, then the funding request must be denied, otherwise the funding request will be reduced accordingly. *See* 47 C.F.R. sec. 54.504(b). The FCC's Aiken County Public Schools Order directed USAC to permit the applicant 15 calendar days from the date of receipt of notice in writing by USAC to revise its funding request to remove the ineligible services or allow the applicant to provide additional documentation to show why the services are eligible. *See* Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools Aiken, SC, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-397612, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8735, FCC 07-61 para. 11 (May 8, 2007).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

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